

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
SHELBY DIVISION**

IN RE:

CASE NO: 16-40087

Joshua Steven Earley  
Amanda Newton Earley  
SSN# : XXX-XX-5919  
SSN# : XXX-XX-4330

**TRUSTEE'S OBJECTION TO CLAIM**

**The undersigned Chapter 13 Trustee objects to the following proof of claim for the specific reason as set forth herein:**

Trustee Claim #	Clerk Claim #	Creditor Name	Account Number	Filed Claim Amount	Amount Paid Through Plan	Claim Type
11	12	Cavalry SPV I LLC	0425	\$3,493.67	\$3,493.67	U-Unsecured

The petition does not show that the debtor owns the property upon which the claim alleges a security interest in favor of the creditor. The claim should be treated as a general unsecured claim.

The trustee's objection is intended to resolve the treatment of the claim under the Chapter 13 plan. It may not be determinative of the status of affected lien(s) upon discharge.

DATED: June 30, 2016

Steven G. Tate  
Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT  
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**NOTICE OF OPPORTUNITY FOR HEARING**

The Chapter 13 trustee has filed an objection to your claim in this bankruptcy case.

**Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

If you do not want the court to eliminate or change your claim, then you or your attorney must file with the court a written response to the objection, explaining your position, and a request for a hearing by July 15, 2016 at the following address:

CLERK, U.S. BANKRUPTCY COURT  
401 W Trade St Room 111  
Charlotte, NC 28202

If you **mail** your response to the court for filing, you must mail it early enough for the court to **receive** it on or before the deadline stated above.

You must also mail a copy of your response to the debtors' attorney at the following mailing address:

ROBERT H LUTZ  
Lutz Law Firm PLLC  
310-8 E Graham St  
Shelby, NC 28150

If you file a response, then a hearing on the trustee's objection will be held at the following time and place:

Date: August 26, 2016 Time: 9:30 AM

Location: Cleveland County Courthouse  
Courtroom #5  
100 Justice Place  
Shelby , NC 28151

**No hearing will be held unless a response is filed.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Dated: June 30, 2016

Steven G. Tate  
Chapter 13 Trustee  
212 Cooper St  
Statesville, NC 28677-5856  
(704) 872-0068  
general@ch13sta.com

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**CERTIFICATE OF SERVICE**

The parties whose names and addresses are listed below were served by United States first class mail, postage prepaid on 7/1/2016.

K. Stevenson  
Office of the Chapter 13 Trustee

Cavalry SPV I LLC, Bass & Associates PC, 3936 E Ft Lowell Road Suite #200, Tucson, AZ 85712  
Joshua Steven Earley, Amanda Newton Earley, 348 Right Prong Rd, Ellenboro, NC 28040-5722